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8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF CALIFORNIA

10 MARSHALL LOSKOT ) CASE NO. CV-12-5994-MEJ  
11 )  
12 Plaintiffs, ) STIPULATION OF DISMISSAL AND  
13 v. ) ~~[PROPOSED]~~ ORDER THEREON  
14 AL'S BIG BURGER; JAMES U. CHUN; )  
15 and RUTH CHUN and JAMES U. CHUN )  
16 d.b.a. AL'S BIG BURGER )  
17 Defendants. )  
18 \_\_\_\_\_)

19 The parties, by and through their respective counsel, stipulate to dismissal of this action  
20 in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the  
21 Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own  
22 costs and attorneys' fees. The parties further consent to and request that the Court retain  
23 jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511  
24 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of  
25 settlement agreements).

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STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON

CASE NO. CV-12-5994-MEJ

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through  
2 their designated counsel that the above-captioned action become and hereby is dismissed with  
3 prejudice pursuant to Federal Rules of Civil Procedure 41(a)(2).

4 This stipulation may be executed in counterparts, all of which together shall constitute  
5 one original document.

6  
7 Dated: June 24, 2013

THOMAS E. FRANKOVICH  
*A PROFESSIONAL LAW CORPORATION*

9 By: /s/ Thomas E. Frankovich  
10 Thomas E. Frankovich  
11 Attorney for MARSHALL LOSKOT

12 Dated: June 21, 2013

13 GORDON & REES LLP

14 By: /s/ Marcie S. Isom  
15 Marcie S. Isom  
16 Attorney for Defendants JAMES U. CHUN; and  
17 RUTH CHUN and JAMES U. CHUN d.b.a. AL'S  
18 BIG BURGER

20 **ORDER**

21 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to  
22 Fed.R.Civ.P.41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the  
23 purpose of enforcing the parties' Settlement Agreement and General Release should such  
24 enforcement be necessary

25 Dated: June 25, 2013

26  
27 Honorable Magistrate Maria-Elna James  
28 UNITED STATE DISTRICT JUDGE